

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**ERNST FRANCOIS,**

**Plaintiff,**

**v.**

**Cause No. 14-CV-00927 SMV/WPL**

**JAMES GUINN, JACK JACKSON and  
John Does 1-3,**

**Defendants.**

**STIPULATED ORDER GRANTING DEFENDANT  
GUINN'S MOTION FOR SUMMARY JUDGMENT AS TO COUNT II**

**THIS MATTER** having come before the Court on Defendant Guinn's Unopposed Motion for Summary Judgment on Count II of the Complaint on the Basis of Qualified Immunity and Other Grounds, filed December 10, 2014, [Doc. 16] and noting that the motion is unopposed by opposing counsel, finds the motion well taken and should be **GRANTED**.

**IT IS THEREFORE ORDERED** that Plaintiff's Count II for 4<sup>th</sup> Amendment Unlawful Search is dismissed with prejudice as to Defendant Guinn.



**HONORABLE STEPHAN VIDMAR  
UNITED STATES MAGISTRATE JUDGE**

APPROVED:

BRENNAN & SULLIVAN, P.A.

By: /s/ Christina L. G. Brennan  
Christina L. G. Brennan  
James P. Sullivan  
128 East DeVargas  
Santa Fe, New Mexico 87501  
(505) 995-8514  
*Attorneys for Defendants Guinn and Johnson*

AND

JOHN R. HAKANSON, P.C.

By: Approved 12/10/14 via email  
Miguel Garcia  
307 E. Eleventh Street  
Alamogordo, NM 88310  
(575) 437-2874  
*Attorney for Plaintiff*